

Stephen L. Simonton  
Stephen L. Simonton, PC  
1222 Eleventh Street  
Cody, WY 82414  
Phone: 307-587-7010  
Telefax: 307-587-2746  
[simonton@wavecom.net](mailto:simonton@wavecom.net)  
Wyo. State Bar # 4-1063  
Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF WYOMING**

**MARTIN CHAPARRO, and )  
JAMES GOULD and ERIN GOULD, )  
and ERIN GOULD as natural guardian )  
for FRANK GOULD and )  
JASMINE GOULD, )**

**Civil Action No. 08 CV - 049B**

**Plaintiffs,**

**vs.**

**COLORADO CASUALTY INSURANCE )  
COMPANY, )**

**Defendant. )**

---

***PLAINTIFFS' DESIGNATION OF DON-QUYEN THAI, M.D.  
AS TREATING PHYSICIAN WITNESS***

---

In compliance with USDCtLR 83.6(d), and the Order on Initial Pretrial Conference, Plaintiffs herewith designate Don-Quyen Thai, M.D. as a health care provider who may be called to express opinions in testimony at trial as to the care, treatments, examinations, testing, diagnoses and/or prognoses of the injuries to Plaintiff James F. Gould proximately

caused by and reasonably necessary for the treatment of injuries resulting from the vehicle crash which gave rise to this litigation. At the time services were rendered, Dr. Thai was associated with the neurology department of the Billings Clinic. He has recently moved to Washington State and his current address and contact information is with Washington Neurosciences Institute, 3915 Talbot Road South, Renton, WA 98055, tel. # (425) 656-5396.

Obtaining this information has been somewhat delayed because the personnel at the Billings Clinic who had the information for contacting Dr. Thai were unavailable until recently, being on vacation or at school. We first called to obtain the information at the end of May. We were finally able to obtain Dr. Thai's current address only last week. We promptly made contact with his office and requested the provision of copies of his CV, current list of fees and conditions, and lists of cases and publications. We understand that Dr. Thai retains some association with the Deaconess-Billings Clinic in Billings, Montana. Presently, the Billings Clinic has a set fee of \$800 per hour per physician for reviews of records and x-rays. For panels of more than one physician, there is an additional administrative fee of \$400. The charge for deposition and court testimony is \$2500 per half day and \$5000 for each full day. Travel expenses are in addition to those fees. Since Dr. Thai has recently moved to Washington State, it is believed that there are limitations on his time such that he will require at least three weeks notice. The Deaconess Billings Clinic provided the following partial CV for Dr. Thai. He is Board Certified in Pain Medicine,

Neurology and Pediatric Neurology. He joined the Billings Clinic in 2005. He has been in practice since 1998. His particular areas of interest are in Child Neurology and Dizziness/Balance Disorders. He is a graduate of the Medical School of the University of Washington, Seattle, Washington. His Internship were at Cedars-Sinai Medical Center, Los Angeles, California and the University of Washington, Seattle, Washington. His residence was at the University of Washington, Seattle, Washington.

As of this date, we have not yet received the current information from Dr. Thai but understand it will be sent to us shortly. This designation will be supplemented as soon as we receive it from Dr. Thai.

Dr. Thai performed neurological assessments of Mr. Gould's injuries in the summer of 2005 as disclosed in the medical records previously furnished by Plaintiffs starting in 2006 as well as provided through the voluminous productions by the Wyoming Worker's Safety and Compensation Division. If called, Dr. Thai will be asked to testify consistent with the medical records to his examinations, observations, diagnosis, prognoses of injuries that Mr. Gould suffered as a result of the collision of February 17, 2004, and to provide foundation as needed for the opinions and conclusions of Plaintiffs' other experts. Plaintiffs' Exhibit 189 hereto is a detailed summary of Dr. Thai's diagnoses, prognoses, observations and treatments and contains the opinions he will render if called to testify.

Dated: this 16<sup>th</sup> day of July, 2008.

/s/Stephen L. Simonton

---

Stephen L. Simonton  
Wyo. Bar No. 4-1063  
Stephen L. Simonton, PC  
simonton@wavecom.net  
1222 - 11th Street  
Cody, Wyoming 82414  
(307) 587-7010  
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I, Stephen L. Simonton, hereby certify that on this 16<sup>th</sup> day of July, 2008, I served a true and correct copy of the foregoing Designation by filing it with the Clerk of Court using the CM/ECF system which will send notification to counsel for the Defendant at the following e-mail address and also mailed by U.S. Mail:

John A. Coppede, Hickey and Evans  
[jcoppede@HickeyEvans.com](mailto:jcoppede@HickeyEvans.com)  
John M. Walker  
[jwalker@hickeyevans.com](mailto:jwalker@hickeyevans.com)  
Howard Victor Scotland, III  
[hscotland@hickeyevans.com](mailto:hscotland@hickeyevans.com)  
HICKEY & EVANS, LLP  
1800 Carey Ave, Ste 700  
PO Box 467  
Cheyenne, WY 82003-0467  
Ph: (307) 634-1525

/s/Stephen L. Simonton

---

Stephen L. Simonton  
[simonton@wavecom.net](mailto:simonton@wavecom.net)